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BY [Signature] DATE 7/29/04



**PATENT
Mail Stop Amendment**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:	Patent Application of Makoto Uchida et al.	:	
		:	Examiner: Susy Tsang Foster
		:	
		:	
Conf. No.:	5588	:	
		:	Group Art Unit: 1745
Appln. No.:	10/089,814	:	
		:	
Filed:	April 4, 2002	:	
		:	
		:	Attorney Docket
For:	POLYELECTROLYTE FUEL CELL	:	No. 10059-413US
	AND PRODUCTION METHOD THEREFOR	:	(P26104-01)

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated July 1, 2004 (Paper No. 20040628) in the above-identified patent application. This response is being timely filed by August 2, 2004 (August 1, 2004 being a Sunday).

REMARKS

The Examiner has required restriction between claims 1-5, directed to a polymer electrolyte fuel cell having a catalyst layer containing at least two kinds of carbon particles adsorbing a hydrogen ion conductive polymer electrolyte in mutually different dispersed states (Group I); and claims 6-14, directed to method of manufacturing a polymer electrolyte fuel cell including the steps of adsorbing a polymer electrolyte to first carbon particles supporting a catalyst in a first dispersion in which a polymer electrolyte is dispersed, and adsorbing a polymer electrolyte to second carbon particles supporting a catalyst in a second dispersion in which the polymer electrolyte is dispersed (Group II). The Examiner contends that the inventions of the two groups do not relate to a single general inventive concept under PCT Rule 13.1.

Specifically, the Examiner contends that the special technical feature of at least two kinds of carbon particles recited in Group I is not recited in Group II, and that therefore the method recited in Group II is not specifically adapted to manufacture the product recited in Group I. Additionally, the Examiner asserts that the product can be made by a different method than that presently claimed, such as that disclosed in U.S. Patent No. 5,766,688 of Inoue. Inoue allegedly teaches first loading carbon